

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JANE DOES I, II, III, et al.,</b>	:	
<b>Plaintiffs</b>	:	<b>CIVIL ACTION NO. 3:20-1260</b>
<b>v.</b>	:	<b>(JUDGE MANNION)</b>
<b>EUGENE SCALIA, United States</b>	:	
<b>Secretary of Labor, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

Presently before the court is a complaint filed by the plaintiffs Jane Does I, II, and III and Friends of Farmworkers, Inc., which seeks a writ of mandamus pursuant to [29 U.S.C. §662\(d\)](#), compelling the defendants the Secretary of Labor Eugene Scalia (the “Secretary”) and the Occupational Safety and Health Administration (“OSHA”) to seek a court order that directs Maid-Rite Specialty Foods (“Employer”) to take steps to abate the imminent dangers to its employees related to the transmission of COVID-19. ([Doc. 1](#)). Also before the court is the plaintiffs motion for leave to proceed under pseudonym. ([Doc. 3](#)).

Defendants are to file a response to the complaint and motion for leave by **5 p.m. on Monday, July 27, 2020**.

A hearing will be held on **Friday, July 31, 2020 at 9:30 a.m.** in Courtroom 3 of the William J. Nealon Federal Building & United States Courthouse, 235 North Washington Ave, Scranton, Pennsylvania. The primary purpose of the hearing will be to hear argument on whether a writ of mandamus should issue pursuant to [29 U.S.C. §662\(d\)](#). The parties should be prepared to present evidence on whether the Secretary of Labor acted arbitrarily and capriciously in failing to seek an injunction or temporary restraining order to restrain Employer from practices, as they relate to COVID-19, that could reasonably be expected to imminently cause death or serious physical harm to employees.

In the interim, the parties are **DIRECTED** to meet and discuss whether they are able to reach an amicable solution to the issues raised in the complaint. The parties are to report back to the court by **Thursday, July 30, 2020**, on whether they have come to such a resolution.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
**United States District Judge**

**DATE: July 23, 2020**

20-1260-01